



# DAVE YOST

OHIO ATTORNEY GENERAL

Charitable Law Section  
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April 4, 2025

Benevolent And Protective Order  
Of The Elks, Lodge No. 177  
416 Park Avenue  
Ironton, OH 45638

## **Notice of Intent to Reject and Opportunity for Hearing**

For purposes of this Notice, the terms “you” or “your” shall refer to the organization “Benevolent And Protective Order Of The Elks, Lodge No. 177” or “BPOE #177”.

The Ohio Attorney General’s Office hereby informs you that it intends to deny your 2025 Electronic Bingo License Application for the following reasons:

1. Ohio Administrative Code agency 109:1-5-14 requires Veterans and Fraternal organizations that conduct electronic instant bingo to file a quarterly report with the Attorney General’s Office. In violation of Rule 109:1-5-14, you failed to file complete reports for the following quarters:

Quarters 2, 3, & 4 for the year 2024  
Quarters 1, 2, 3, & 4 for the year 2023  
Quarters 1, 2, & 4 for the year 2022

2. Ohio Administrative Code agency 109:1-4-02 requires applicants and licensees to provide any information requested by the attorney general relating to licensing, endorsement or regulation; cooperate with the attorney general in investigations, hearings, and enforcement and disciplinary actions; and comply with all conditions, restrictions, requirements, orders, and rulings of the attorney general in accordance with the Ohio Revised Code and this chapter. In violation of Rule 109:1-4-02, you:

- a. Failed to cooperate with an inspection by obstructing and delaying efforts to collect required records and failed to provide a required written response to our inspection report;
- b. Materially misrepresenting on your bingo application that you owed \$0 to charity on your 2023 bingo application and \$694 on your 2024 bingo application when, in fact, there was a combined shortage of over \$18,000; and
- c. Failed to provide an accounting of its bingo proceeds, resulting in over \$72,000 of unaccounted for money.

3. Ohio Revised Code Section 2915.101(A)(1) requires Veterans and Fraternal Organizations to distribute a percentage of the net profit from the proceeds of the sale of instant bingo or

electronic instant bingo to an organization described in Revised Code Section 2915.01(V)(1). In violation of Revised Code Section 2915.101(A)(1), you have underpaid your designated charity by over \$18,000 over the past two years and did not/do not have sufficient funds to satisfy the shortage.

Pursuant to Section 119.07 of the Ohio Revised Code, you are entitled to a hearing on this matter if you timely request one. If you wish to request a hearing, the Attorney General's Office must receive the request from you within 30 days of the date of the mailing of this notice. You may email a request to the Attorney General's Charitable Law Section at [Kimberly.Bossman@ohioago.gov](mailto:Kimberly.Bossman@ohioago.gov). Alternatively, you may mail a request to:

Ohio Attorney General's Office  
Attn: Bingo Unit, Charitable Law Section  
30 East Broad Street, 25<sup>th</sup> Floor  
Columbus, Ohio 43215

In the event you timely request a hearing, you may appear in person and represent yourself or be represented by an attorney that is permitted to practice law in the State of Ohio.\* At the hearing, you may present evidence and examine witnesses appearing for and against you. In lieu of attending the hearing, you may also present your position, arguments, or contentions in writing.

**\*Be advised that, under Ohio law, corporations must be represented by an attorney authorized to practice law in this State and that individuals not so authorized may not appear and represented those entities. If you have any questions regarding your status, you should contact an attorney for further guidance.**

Very respectfully yours,

DAVE YOST  
Ohio Attorney General



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